

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHAWN HAMILTON,	)	
	)	
Plaintiff,	)	
	)	
vs	)	Civil Action No. 2:24-0675
	)	
MARK BROTHERS, et al.,	)	Magistrate Judge Patricia L. Dodge
	)	
Defendants.	)	

**MEMORANDUM OPINION**

Plaintiff, Shawn Hamilton (“Hamilton”), a prisoner who is incarcerated in the State Correctional Institution at Pine Grove, Pennsylvania (“SCI Pine Grove”), brought a pro se civil rights action against Mark Brothers, the Superintendent of SCI Pine Grove, and two unit managers, Amy Varner and Donald Bechota. In the Complaint, he alleged that he was denied the equal protection of the laws in violation of the Fourteenth Amendment to the United States Constitution when he was moved to a different housing unit that did not have a separate dayroom and exercise machines.

On February 13, 2025, a Memorandum Opinion (ECF No. 25) and Order (ECF No. 26) were issued, granting Defendants’ motion to dismiss (ECF No. 12). In the Opinion, the Court held that amendment of the Complaint would be futile because Hamilton could not overcome the deficiencies in his Complaint. Therefore, the case was dismissed with prejudice.

On March 5, 2025, Hamilton filed a motion he called “Motion to Amend Additional Findings” (ECF No. 28), which he indicated was being filed under Rule 52(b) of the Federal Rules of Civil Procedure. In the motion, Hamilton contended that he had additional evidence of how he and certain other inmates were similarly situated but treated differently.

On March 7, 2025, a Memorandum Opinion (ECF No. 29) and Order (ECF No. 30) were entered denying this motion. The Order informed Hamilton that he had thirty days from the date of the Order to file a notice of appeal with the district court clerk.

On March 18, 2025, Hamilton filed another motion styled as “Motion to Correct Manifest Errors of Law and Fact” which he again claims he is asserting under Rule 52(b) (ECF No. 31). In this motion, Hamilton claims the Court erred in concluding that he did not identify other inmates who were similarly situated to him in all relevant respects.

Hamilton’s motion will be denied for several reasons. First, there is no basis for filing sequential motions under Rule 52(b). Hamilton’s request that the Court amend the findings that formed the basis for its Opinion and Order granting Defendants’ motion to dismiss was denied. Allowing a second Rule 52(b) challenge to the same Order is neither warranted.

Second, even if Hamilton’s motion is construed as a motion for reconsideration under Rule 59(e), Hamilton would not meet any of the requisite grounds: (1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court granted the motion for summary judgment; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice. *See North River Ins. Co. v. CIGNA Reinsurance Co.*, 52 F.3d 1194, 1218 (3d Cir. 1995). *See also Max’s Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999).

Rule 59(e) does not provide a vehicle “to relitigate old matters, or to raise new arguments or present evidence that could have been raised prior to the entry of judgment.” *Exxon Shipping Co. v. Baker*, 554 U.S. 471, 485 n.5 (2008) (citation omitted). A motion for reconsideration that “essentially restates, with added vigor, the arguments made previously” does not satisfy this “substantial standard.” *Peerless Ins. Co. v. Pennsylvania Cyber Charter Sch.*, 19 F. Supp. 3d

635, 651 (W.D. Pa. 2014) (citations omitted).

The Court previously outlined the deficiencies in the Complaint and Hamilton has not provided any basis for revisiting or reconsidering its decision. Although Hamilton might disagree with Defendants' housing decisions, he has failed to state any basis that could support an equal protection claim. Therefore, his motion will be denied.

An appropriate order will follow.

Dated: March 28, 2025

/s/ Patricia L. Dodge  
PATRICIA L. DODGE  
UNITED STATES MAGISTRATE JUDGE

cc: Shawn Hamilton  
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